

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

DECEMBER 19, 2006

COUNTY COMMISSIONERS

**Welton G. Cadwell, Chairman
Jennifer Hill, Vice Chairman
Elaine Renick, District #2
Debbie Stivender, District #3
Linda Stewart, District #4**

**Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
James C. Watkins, Clerk to the Board**

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

December 19, 2006

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

November 21, 2006 (Regular Meeting)

November 28, 2006 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 6):

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office. – Acknowledge Receipt
2. Before the Florida Public Service Commission: Notice of Continuation of Hearing to All Investor-Owned Electric and Gas Utilities and All Other Interested Persons.

Docket No. 060001-EI – Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor.

Docket No. 060362-EI – Petition To Recover Natural Gas Storage Project Costs Through The Fuel Cost Recovery Clause, By Florida Power & Light Company

Docket No. 041291-EI – Petition For Authority To Recover Prudently Incurred Storm Restoration Costs Related To 2004 Storm Season That Exceed Storm Reserve Balance, By Florida Power & Light Company.

Notice is hereby given that the Florida Public Service Commission announces the continuation of the fuel clause hearing from November 6-8, 2006 to December 8, 2006, in the above-referenced dockets at the following time and place:

9:30 a.m. (EST), Friday, December 8, 2006
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida

Recommendation: Acknowledge Receipt

3. Order Acknowledging Corporate Reorganization And Approving Name Change in re: Joint application for acknowledgment of corporate reorganization and request of name change on Certificate 268-S in Lee County from AquaSource Utility, Inc. dba Aqua Utilities Florida, Inc.; Docket No. 060643-WS; Order No. PSC-06-0973-FOF-WS; issued November 22, 2006. – Acknowledge Receipt
4. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for November 30, 2006, to be held at 9:00 a.m., at the Sarasota Service Office Board Room, 6750 Fruitville Road, Sarasota, FL 34240; and for December 1, 2006, to be held at 9:00 a.m. at the DeSoto County Commission Chambers, 201 E. Oak Street, Arcadia, FL 34266; and the Minutes of the Meeting held on September 12, 2006. – Acknowledge Receipt
5. Notification of Public Information Meeting by the Florida Department of Transportation regarding the SR 500 widening project, beginning at 5:30 p.m. on Wednesday, December 20, 2006, at the Lady Lake Municipal Complex, Town Council Chambers, 409 Fennell Boulevard, Lady Lake, Florida. – Acknowledge Receipt
6. Application of Aqua Utilities Florida, Inc. For Increased Rates, Increased or Revised Service Availability Charges, And For Approval of Allowance For Funds Prudently Invested Charges. – Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 19)

Budget

Tab 3

1. Budget transfer – Landfill Enterprise Fund, Department of Environmental Services, Hazardous Waste Division. Transfer \$80,000 from Reserve for Operations to Buildings. Funds are needed to purchase a new modular building (approximately 1,400 square feet) to replace a 15-year old single wide trailer. The trailer houses some of the Household Hazardous Waste staff of the Environmental Services Department. Facilities Management determined that the trailer is in need of replacement since needed repair work exceeds its value. Funds available in Reserve for Operations.

RECOMMENDATION: Approval

2. Resolution to amend the County Library System Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$275,000.00 deposited into Reimbursements and provide appropriations for the disbursement for Buildings. The County has received funding from Cagan Crossings, LTD., for the purpose of reimbursing additional construction costs incurred for the redesign of the Citrus Ridge Library facility located at the Cagan Crossings development.

RECOMMENDATION: Approval

3. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$10,221.00 deposited into Insurance Proceeds/Loss Furn/Fix/Eq and provide appropriations for the disbursement for Machinery and Equipment. The Board of County Commissioners was awarded \$10,221 in insurance proceeds for the vandalism and destruction of a vehicle.

RECOMMENDATION: Approval

4. Approval of request for payment of medical bill for inmate. The request exceeds the County Manager's approval limit of \$25,000.00. Total payment is for \$54,914.73.00.

RECOMMENDATION: Approval

Community Services

Tab 4 Approve the request from the Lake County Health Department to adjust the approved budget for the Disease Management Program to include an Indirect Cost line item.

RECOMMENDATION: Approval

Environmental Services

Tab 5 Authorize the Board of County Commissioners to sign Amendment 1 amending the amount of the Local Funds for the FY 06/07 Annual Certified Arthropod Control Budget to reflect the actual approved FY 06/07 Mosquito Management Program Budget.

RECOMMENDATION: Approval

Tab 6 Approve the payment of \$1,000.00 to Mr. Eugene Didion for partial reimbursement of the cost to remove two underground storage tanks, located in the County right-of-way. Also approve related budget transfer from Reserves in the amount of \$1,000.00.

RECOMMENDATION: Approval

Growth Management

Tab 7 Approval and execution of a Release of Fine for Property owner: Javier and Margarita Castaneda, Jr., Code Case #2005040124, Commission District 5.

RECOMMENDATION: Approval

Tab 8 Approval and execution of a Release of Fine for Property owner: Marshall H. Gaard, Trustee, Code Case #2005070400 – Commission District 5.

RECOMMENDATION: Approval

Tab 9 Approval to advertise a proposed Ordinance amending Table 3.02.06 which will correct the scrivener's error found in Lake County Code, Appendix E, Land Development Regulations Section 3.02.06 Density, Impervious Surface, Floor Area and Height Requirements relative to density in the Urban Compact Node land use designation. It also adds "NET" to Maximum Density for A-1-20 and A-1-40.

RECOMMENDATION: Approval

Tab 10 Approval to advertise a proposed Ordinance amending Table 3.10.00 Road Frontage which will correct the scrivener's error found in Lake County Code, Appendix E., Land Development Regulations, Section 3.10.00, Road Frontage, referencing Section 14.11.01, Minor Lot Splits, and Section 14.11.02, Family Density Exception.

RECOMMENDATION: Approval

Procurement

Tab 11 Approval of the award for Phase II and Phase III of the contract for Digital Topographic Data and Digital Orthophotography to Kucera International, Inc. in accordance with RFP #06-003 in the amount of \$1,522,500.00.

RECOMMENDATION: Approval

Tab 12 Approval and execution of the Second Amendment to Contract 03-041 with Professional Engineering Consultant's, Inc. to include the evaluation of the Trout Lake/Hicks Ditch Drainage Basin and extend the agreement through March 31, 2008.

RECOMMENDATION: Approval

Public Works

Tab 13 Authorization to accept the final plat for Trinity Trail and all areas dedicated to the public as shown on the Trinity Trail plat. Trinity Trail consists of 4 lots and is located in Section 6, Township 29 South, Range 26 East – Commission District 5.

RECOMMENDATION: Approval

Tab 14 Approve and execute a purchase agreement with Suncraft Engineering and Construction Corporation for right-of-way, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the C44/Bates Avenue (#5771) Intersection Project located in the Eustis area – Commission District 4.

RECOMMENDATION: Approval

Tab 15 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition No. 1093, Palmer Homes – John B. Palmer, Rep. Charles C. Hiott, P.E. – Farner Barley, to vacate a portion of drainage easement in the Plat of Grand Island Ridge – Commission District 4.

RECOMMENDATION: Approval

Tab 16 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition No. 1101, John Palmer and Mehmet F. Baki, Rep. Bruce G. Duncan, to vacate a portion of Palm Avenue in the Plat of Fairview – Commission District 3.

RECOMMENDATION: Approval

Tab 17 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition No. 1102, Carol Cleghorn and Hershel D. Cleghorn, to vacate utility easement in the Plat of Dora Pines – Commission District 4.

RECOMMENDATION: Approval

Tab 18 Approval and signature of Resolution to advertise Public Hearing for Vacation Petition No. 1103, Rheta J. Ross and Lowell A. Stokes, Rep. Jefferson G. Ray III, P.A., to vacate an unnamed road way located in Section 27, Township 19, Range 26 in the Tavares area – Commission District 3.

RECOMMENDATION: Approval

Tab 19 Authorization to accept the final plat for Sugarloaf Mountain Unit 2B and all areas dedicated to the public as shown on the Sugarloaf Mountain Unit 2B final plat, accept a performance bond in the amount of \$1,430,675.40, and execute a Developer's Agreement for Construction of Improvements between Lake County and SLCD, LLC. Sugarloaf Mountain consists of 87 lots and is located in Section 21, Township 21 South, Range 26 East – Commission District 3.

RECOMMENDATION: Approval

V. COUNTY ATTORNEY'S CONSENT AGENDA (Tabs 20 through 22)

Tab 20 Approval of Second Amendment to Lease Agreement for Suite #6 (2,500 square feet) and Suite #7 (3,000 square feet) for one additional month beginning December 3, 2006 and ending January 2, 2007.

RECOMMENDATION: Approval

Tab 21 Approval of Letter of Renewal for lease agreement for the Sheriff's Office located at 902 Avenida Central, the Villages.

RECOMMENDATION: Approval

Tab 22 Approval to advertise an Ordinance amending Chapter 13, Article IV and Section 13-147, Lake County Code to change the name “occupational license tax” to “local business tax” and the document received from a “license” to “receipt”.

RECOMMENDATION: Approval

VI. **PRESENTATION:** Public Works and Growth Management update on Minneola area transportation issues

VII. **COUNTY MANAGER’S DEPARTMENTAL BUSINESS**

Community Services

Tab 23 Approval and execution for the issuance by the Orange County Housing Finance Authority of Multi-Family Housing Revenue Bonds for the proposed developments of Rolling Acres – Phase I & II; Spring Lake Cove Phase I & II; Laurel Oaks Phase I & II – Commission District 1 (Fruitland Park and Leesburg) and Commission District 5 (Lady Lake)

Tab 24 Approval of an agreement between Lake County Board of County Commissioners and LYNX to provide transportation express services in Clermont, Florida and the Four Corners area of South Lake County. This project will serve Commissioner Renick’s district.

Procurement

Tab 25 Approval to award a contract in the amount of \$67,608.00 to the Rural Women’s Health Project for development and implementation of the Community Health Worker program.

Public Works

Tab 26 Accept a Maintenance Map for N. Cherry Lake Groves Road (#2024) – Commission District 2.

VIII. **PUBLIC HEARINGS – 9:00 A.M. or as Soon Thereafter**

Tab 27 **PUBLIC HEARING:** Approval of the 2006 Fire/Rescue Services MSTU Ordinance.

Tab 28 **PUBLIC HEARING:** Receive comments and approve Public Housing Agency (PHA) Annual Plan for fiscal year 2006 and authorize Chairman to sign and certify for submission.

Tab 29 **PUBLIC HEARING:** Approve and adopt adding Waiting List preferences for the elderly-disabled, elderly, and disabled for the Lake County Section 8 Rental Assistance program. This is done by approving the revision to the Lake County Housing Agency Administrative Plan.

- Tab 30 **PUBLIC HEARING:** Vacation Petition No. 1083 and approval and execution of resolution; request to vacate tracts and rights of way, in the Plat of Monte Vista Park Farms, located in Sections 9 & 16, Township 23 S, Range 26 E, in the Clermont area – Commission District 2.
- Tab 31 **PUBLIC HEARING:** Vacation Petition No. 1098 and approval and execution of resolution; request to vacate a portion of an access, utility and drainage easement, located in Section 21, Township 18 S, Range 27 E, in the Umatilla area – Commission District 5.
- Tab 32 **PUBLIC HEARING:** Vacation Petition No. 1099 and approval and execution of resolution; request to vacate a right of way in the Plat of Groveland, located in Section 9, Township 23 S, Range 24 E, in the Groveland area – Commission District 2.
- Tab 33 **PUBLIC HEARING:** Vacation Petition No. 1100 and approval and execution of resolution; request to vacate an unnamed right of way, in the Plat of Lake Highlands Company, located in Section 25, Township 22 S, Range 26 E, in the Clermont area – Commission District 2.

PUBLIC HEARINGS: REZONINGS (SEE SEPARATE AGENDA)
http://www.lakegovernment.com/pdfs/P&Z_Agendas/121906.pdf

IX. OTHER BUSINESS

- Tab 34 Appointment of Major David Mass to represent the Chief Correctional Officer posted on the Public Safety Coordinating Council.
- Tab 35 Approval and execution of Resolution appointing members to the Affordable Housing Advisory Committee.
- Tab 36 Appointment of individuals to four upcoming vacant positions on the Board of Building Examiners to serve four-year terms beginning January 15, 2007.

X. REPORTS

County Attorney

County Manager

Commissioner Hill – Vice Chairman and District #1

Commissioner Renick – District #2

Commissioner Stivender – District #3

Commissioner Stewart – District #4

Commissioner Cadwell – Chairman and District #5

Tab 37

Appointment/reappointment of Commissioner liaisons/members for Lake County Boards and Committees and approval and execution of Resolution appointing the Commissioner member to the Tourist Development Council.

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

JANUARY 2, 2007

9:00 A.M. Regular Meeting/*Tentative*

TENTATIVE AGENDA

JANUARY 9, 2007

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

JANUARY 16, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

JANUARY 23, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

BOARD RETREAT

JANUARY 26, 2007

TENTATIVE AGENDA

FEBRUARY 6, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

FEBRUARY 13, 2007

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

FEBRUARY 20, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

FEBRUARY 27, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

MARCH 6, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

MARCH 13, 2007

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

MARCH 20, 2007

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

MARCH 27, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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